

Table C.1

<p> b E C T </p>

<p> b E C T </p>

Table

TECBE

In re:
TRUMAN
and
JAMIE LE

YOU
be heard before
Bankruptcy
IF YOU
Clerk and de
THE RESPON

b
E
C
T

In re:

TRUMAN WESLEY SANTIAGO JR
and
JAMIE LEE SANTIAGO,

Debtors.

YOU ARE HEREBY NOTIFIED

be heard before the Honorable Mary Jo Hes

Bankruptcy Courthouse, 1717 Pacific Avenue

IF YOU OPPOSE this motion, you

Clerk and deliver copies on the undersigned

THE RESPONSE DATE, which is **March**

b
E
C
T

TRUMAN WESLEY SANTIAGO JR
and
JAMIE LEE SANTIAGO,

Debtors.

YOU ARE HEREBY NOTIFIED

be heard before the Honorable Mary Jo Hes

Bankruptcy Courthouse, 1717 Pacific Avenue

IF YOU OPPOSE this motion, you

Clerk and deliver copies on the undersigned

THE RESPONSE DATE, which is March

Debtors.

YOU ARE HEREBY NOTIFIED

be heard before the Honorable Mary Jo Hes

Bankruptcy Courthouse, 1717 Pacific Avenue

IF YOU OPPOSE this motion, you

Clerk and deliver copies on the undersigned

THE RESPONSE DATE, which is **March**

NOTICE

YOU ARE HEREBY NOTIFIED that a hearing will be heard before the Honorable Mary Jo Heston at **1:00 PM** on **March 17, 2020** at the Bankruptcy Courthouse, 1717 Pacific Avenue, Courtroom 200, Portland, Oregon 97201.

IF YOU OPPOSE this motion, you must file a written response with the Court by **THE RESPONSE DATE**, which is **March 17, 2020**.

YOU ARE HEREBY NOTIFIED that a hearing on Trustee's Motion to Dismiss will be heard before the Honorable Mary Jo Heston at **1:00 P.M. on March 24, 2020**, at the U.S. Bankruptcy Courthouse, 1717 Pacific Avenue, Courtroom H, Tacoma, WA 98402.

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, **NOT LATER THAN THE RESPONSE DATE**, which is **March 17, 2020**. You should also appear at the time of

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, **NOT LATER THAN THE RESPONSE DATE**, which is **March 17, 2020**. You should also appear at the time of

NOTICE AND MOTION FOR DISMISSAL - 1

Michael G. Malaier
Chapter 13 Standing Trustee
2122 Commerce Street
Tacoma, WA 98402
(253) 572-6600

1 hearing. If you fail to do so, the Court may enter an order granting the motion without any
2 hearing and without further notice.

3
4 **MOTION**

5 **COMES NOW**, Michael G. Malaier, the Chapter 13 Trustee and alleges as follows:

- 6 1. Debtors filed this case on **August 3, 2016**. The case was confirmed by order of the Court on
7 **October 29, 2016**.
- 8 2. Pursuant to the confirmed plan, Debtors are required to make plan payments of **\$3,650.00**
9 per month. Debtors are presently delinquent in plan payments in the amount of **\$20,655.03**,
10 supported by the Declaration filed herewith.
- 11 3. Debtors have failed to provide the Trustee with a copy of their 2017 and 2018 tax returns.
- 12 4. Debtors have defaulted under the terms of the Plan as follows: § 1307(c)(1) unreasonable
13 delay by the debtor that is prejudicial to the creditors, § 1307(c)(6) failure to remit plan
14 payments.
15

16 **WHEREFORE** the Trustee prays that this case be dismissed and closed.

17
18 **DATED** this 21st day of February, 2020 at Tacoma, Washington.

19
20 

21 Mathew S. LaCroix, WSBA# 41847 for
22 Michael G. Malaier, Chapter 13 Trustee
23
24
25

1
2
3
4
5
6
7
8 **IN THE UNITED STATES BANKRUPTCY COURT FOR THE**
9 **WESTERN DISTRICT OF WASHINGTON AT TACOMA**

10 In re:

11 TRUMAN WESLEY SANTIAGO JR
12 and
13 JAMIE LEE SANTIAGO,

14 Debtors.

Case No.: 16-43264-MJH

PROPOSED
ORDER DISMISSING CHAPTER 13 CASE

15 **THIS MATTER** having come before the Court on the Trustee's Motion to Dismiss, due
16 notice of hearing having been given to the Debtors and the attorney for the Debtors; the Debtors
17 having not otherwise responded or appeared, the Court having reviewed the motion and being
18 fully advised in the premises, IT IS HEREBY

19 **ORDERED** that any funds being held by the Trustee shall be applied to the filing fee,
20 with any remaining balance returned to the Debtors; it is further

21
22 **ORDERED** that upon dismissal or conversion, any refund shall be payable to the Debtors
23 and may be forwarded to the Debtors through the attorney's office per 11 U.S.C. 349(b)(3); it is
24 further

ORDERED that the above-captioned case be dismissed effective on the date of this Order and the Trustee is directed to administratively close this case and issue Trustee's Final Report to creditors.

///End of Order///

Presented by:

Mathew S. LaCroix, WSBA# 41847 for
Michael G. Malaier, Chapter 13 Trustee

Michael G. Malaier
Chapter 13 Standing Trustee
2122 Commerce Street
Tacoma, WA 98402
(253) 572-6600